

FILED

OCT 07 2024

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
FOR THE NINTH CIRCUIT

M.S., D.S., P., R.R., A.L.R.,
CALIFORINA COALITION OF WOMEN
PRISONERS, PRECIADO

PLAINTIFF

V.

UNITED STATES OF AMERICA, FEDERAL
CORRECTIONAL INSTITUTION,
JOHN RUSSELL BELLHOUSE.

DEFENDANT

CASE NUMBER:

4:2022-CV-08924 - YHR
4:2022-CV-09096 - YHR
4:2023-CV-02668 - YHR
4:2023-CV-05356 - YHR
4:2023-CV-04155 - YHR
4:2024-CV-01980 - YHR
4:2024-CV-01360 - YHR

TO ALL PARTIES AND COUNSEL OF RECORD:

MOTION TO COMPEL

Comes now, John Russell Bellhouse, Defendant, in the above styled case(s), petitioning this Honorable Court to grant the motion to compel for all case(s) the Defendant is named in, within the Northern District of California.

STATEMENT OF FACTS

This Pro Se Defendant cannot properly defend himself in these complex civil actions, when he has not been served notice or copies of case documentation. Amended motions, responses, scheduled events like evidentiary hearings, case management conferences, pretrial conferences, court orders, etc.

This completely avoidable situation opens the court to the possibility of a FRCP 60 (a)(b)(1)(6) Motion to Dismiss, a FRCP 77 (d)(1) Relief from a Judgement or Order, and a FRCP 5 (b)(2)(C) Failure of Service [notice] by the Clerk of the Court.

This Court, the Clerk of the Court, and all parties are aware this Pro Se defendant is in federal custody. The defendant is severely limited in how he can communicate with involved entities.

This defendant has recieved no type of "waiver" from the Court exempting him from following such orders. The defendant has recently informed the Court of the limitations he faces in custody on June 28, 2024.

The other defendants, the Bureau of Prisons, and the United States of America, represented by the United States Attorney have violated the defendant's substantive procedural due process civil rights.

The Clerk of the Court has violated the defendant's civil rights as well, in that the Clerk has provided notice to the other named parties, but not to this Pro Se defendant, as due process requires. The Clerk of the Court is in direct violation of FRCP 77 (d)(1), for failure in service [notice] and FRCP 5 (b)(C).

The failure of the Clerk to provide notice of the Court's orders, has subjected the defendant to Default and/or Summary Judgement, in violation of FRCP 55/56.

This defendant is also subject to receiving sanctions under FRCP 16 (f)(1) (A)(B)(C) ... for failure to appear at or obey a scheduled pretrial conference order, because he has not received any notice from the Court.

Basically, this Pro Se defendant has been prohibited and excluded from knowledge of or participating in the Civil Actions filed against him.

The defendant's address is clearly shown on every document he has submitted to the Court, and parties involved.

The Defendant has been incarcerated, and is in the custody of the Federal Bureau of Prisons. The Defendant has been in custody since February 2, 2024. Since that date, he has only received the following:

Summons in a Civil Action. No. 5:24-cv-01980-PCP. Served at the prison by the Parish Sheriff on June 6, 2024. Exh: 1

U.S. Court of Appeals Docketing Notices. Exh: 2

U.S. Court of Appeals commonly used forms and instructions: Exh: 3

U.S. Court of Appeals Circuit Judges Rulings, dismissing his appeal for lack of jurisdiction. Exh: 4

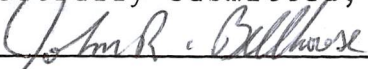
These are the only documents the defendant has received to date. The United States Court of Appeals for the Ninth Circuit has no issues sending documents to the Defendant's address. The Defendant does not understand the reasoning as to why he has not received any documentation from the District Court Clerk, or the other parties from the remaining six civil lawsuits, and only a summons for the case as shown in exhibit 1. These cases are complex, and many parties are involved. The Defendant sits in prison with no knowledge of what is happening in these cases.

The Defendant's due process rights under the Fifth and Eighth Amendments of the United States Constitution has been violated,

Accordingly,

This Honorable Court should grant the Defendant's Motion to Compel.

Respectfully submitted,



John Russell Bellhouse

09/23/2024
Date

John R. Bellhouse # 76806-509
Federal Correctional Institution
P.O. Box 5000
Oakdale, LA 71463-5000

RECEIVED
OCT 07 2024
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

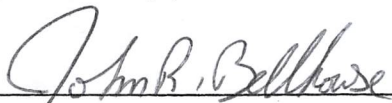
Clerk of the Court, NDCA
Ronald V. Dellums Federal Building
1301 Clay Street, Suite 400S
Oakland, CA 94612

Dear Clerk of the Court,

Please upload this Motion to Compel in all seven (7) cases.
As mentioned several times previously, I do not have access
to PACER or ECF to file or view these documents, as an inmate.

USPS Ceritifed Mail:

Respectfully,



John R. Bellhouse

09/23/2024
Date

AO 440 (Rev. 06/12) Summons in a Civil Action

SERVED ON WED, 06/05/2024

UNITED STATES DISTRICT COURT

for the

Northern District of California

[[Exh: 1]]

SERVE

R.R.

Plaintiff(s)

v.

UNITED STATES OF AMERICA (FEDERAL
BUREAU OF PRISONS); RAY J. GARCIA;
DARRELL SMITH; JOHN BELLHOUSE, DAVID
PEREZ, and DOES 1-25, inclusive

Defendant(s)

Civil Action No. 5:24-cv-01980-PCP

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) UNITED STATES OF AMERICA, a governmental entity
C/O Merrick B. Garland, Attorney General of the United States
U.S. Department of Justice, 950 Pennsylvania Ave. NW
Washington DC 20530-0001
(Additional Defendants to be served pursuant to Fed. R. Civ. . 4(i)(1) & (2) listed on
Continuation Page)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jessica K. Pride
The Pride Law Firm
2831 Camino del Rio South
Suite 104
San Diego CA 92108

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 4/3/2024



CLERK OF COURT
Mark B. Busby

[Signature]
Thelma Nudo

Signature of Clerk or Deputy Clerk



Molly C. Dwyer
Clerk of Court

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

[[Exh: 2]]

FILED

JUL 11 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number: 24-4256
Originating Case Number: 4:23-cv-05356-YGR

Short Title: N.P. v. Bellhouse, et al.

Dear Appellant/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The \$605 docketing fee remains due. Failure to correct this deficiency within 14 days will result in the dismissal of this case for failure to prosecute. See 9th Cir. R. 42-1. The fee is payable to the district court or the tax court.

Failure of the appellant to comply with the time schedule order may result in dismissal of the appeal.

Please read the enclosed materials carefully.

✓



UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

AUG 29 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

R.R.,

Plaintiff - Appellee,

v.

JOHN RUSSELL BELLHOUSE,

Defendant - Appellant,

and

UNITED STATES OF AMERICA, Federal
Bureau of Prisons; et al.,

Defendants.

No. 24-4259

D.C. No.

4:24-cv-01980-YGR

Northern District of California,
Oakland

ORDER

Before: SCHROEDER, M. SMITH, and HURWITZ, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable.

See 28 U.S.C. § 1291; *Wilborn v. Escalderon*, 789 F.2d 1328 (9th Cir. 1986)

(denial of appointment of counsel in civil case is not appealable). Consequently, this appeal is dismissed for lack of jurisdiction.

DISMISSED.

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document.

2. The second part of the document is an abstract. It provides a brief summary of the main points of the document.

3. The third part of the document is an introduction. It provides background information on the topic and states the purpose of the document.

4. The fourth part of the document is the main body. It contains the main text of the document, which is divided into sections and subsections.

5. The fifth part of the document is a conclusion. It summarizes the main findings of the document and provides recommendations.

6. The sixth part of the document is a bibliography. It lists the sources of information used in the document.

7. The seventh part of the document is an appendix. It contains additional information that is related to the main text but is not essential for understanding the main points.

8. The eighth part of the document is a glossary. It defines the key terms used in the document.

9. The ninth part of the document is an index. It provides a list of the topics covered in the document and the pages where they can be found.

10. The tenth part of the document is a list of figures and tables. It provides a list of the figures and tables included in the document and the pages where they can be found.

RECEIVED

OCT 07 2024

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Clerk Of The Court
Ronald V. Dellums Federal Building
1301 Clay St. Suite 400S
Oakland, CA 94612
United States

[illegible]

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT